

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

Jose A. Cruz-Kerkado, Phoenix Military Institute, Corp., and  
Centro de Adiestramientos Tácticos de Puerto Rico Corp.,  
Damas de la Segunda Enmienda, Corp. a/k/a Ladies of the  
Second Amendment and Gun Rights and Safety Association  
of Puerto Rico, Inc. a/k/a Puerto Rico NRA State

Association

*Plaintiffs*

v.

Commonwealth of Puerto Rico (by way of the Puerto Rico  
Department of Justice a/k/a *Departamento de Justicia*),  
Puerto Rico Police Department a/k/a *Policia de Puerto Rico*,  
Puerto Rico Department of Leisure and Sports a/k/a  
*Depatamento de Recreación y Deporte*, and the Puerto Rico  
Shooting Association a/k/a *Federación de Tiro de Armas*  
*Cortas y Rifles de Puerto Rico*

*Defendants*

CIVIL ACTION

Case No 3:16-cv-2748

Constitutional Rights:

2<sup>nd</sup>. Amendment

-Invasion of Privacy

-Freedom of Association

-Tax on Second Amendment

-Interstate Commerce/Travel

**MOTION SUBMITTING DOCUMENTS**

**COMES NOW** the plaintiffs through the undersigned counsel and respectfully allege,  
pray and request as follows:

**NATURE OF THE ACTION**

This action arises under the Second Amendment of the Bill of Rights of the Constitution  
of the United States of America and requests from this Honorable Court, a determination of the  
constitutional cogency of just a few specific sections of the Puerto Rico Weapons Act, which the  
plaintiffs assert encroach upon other Constitutional and Fundamental individual rights. Plaintiffs  
also assert sections were not narrowly tailored and cause undue burden upon Puerto Rico's law  
abiding citizens who choose to exercise Second Amendment right for self-defense on the Island.

**SUBSTITUTION/JOINDER OF COPLAINTIFFS**

On September 29, 2016, the Plaintiffs filed the Complaint naming two unidentified co-  
plaintiffs: Plaintiff B and Plaintiff C, similarly situated and whose interests fall within the zone of  
interests and the rights the Complainant seeks to protect. Pursuant to *Rule 20* of the Federal Rules of

Civil Procedure, the Plaintiffs join coplaintiffs “**Damas de la Segunda Enmienda, Corp.**” a/k/a **Ladies of the Second Amendment** and **Gun Rights and Safety Association of Puerto Rico, Inc.** a/k/a **Puerto Rico NRA State Association**, substituting Plaintiffs B and C, respectively. Both are non-stock-corporations that assert the right of their members to a relief jointly, severally, or in the alternative with respect to or arising out of the same occurrence, and assert questions of law and/or facts common to all plaintiffs that arise in this civil action. Joinder now is timely and proper, given that no defendant has filed an appearance in the case yet.

#### **CERTIFICATE OF COMPLIANCE WITH ORDER (DOCKET NO. 5)**

In accordance with the Court Order, at Docket No. 5, dated October 5, 2016, which commanded the plaintiffs to serve process on defendants by Friday October 14, 2016, on October 11, 2014, the plaintiffs served all defendants. Proof of service of process is attached as **Exhibit I**.

#### **SUPPORTING DOCUMENT**

This civil action was initiated on September 29, 2016, unbeknownst to the plaintiffs, a day earlier on September 28, 2016, the Federal District Court for the Northern Mariana Islands issued a Decision of significance for Second Amendment advocates. A copy is attached. **Exhibit II**.

Because of the troubling times we are living on this Island, many have fled to the mainland, but those who stay are duty-bound to protect families from an increasing lawless society, while local government seems to be more concerned for keeping afloat the prestige of political factions, than its citizen's own safety. As the Court can ascertain, there seems to be an increasing call for violence amongst some people, as the means to resolve conflicts. Take for example, a cardboard cannon placed by some locals outside the entrance to a nearby Federal Building; while a symbolic manifestation of freedom of speech, it does not represent the vast majority of law-abiding citizens. There could even be a presence of foreign and/or undemocratic forces influencing Island politics.

It is at a time like this, that we must remember the words of Benjamin Franklin: “*never trust a government that doesn't trust its own citizens with guns*”. Unfortunately, Island politics

has been adept at hyper mongering the need to overregulate a lawful practice, because there is little to show for in the fight against the illegal trafficking of unlawful firearms. The vast majority of Puerto Rico residents now look up to Federal Law Enforcement Agencies, the U.S. Attorney General and the Federal District Court for the undaunted task to dispense speedy unbiased justice.

Plaintiffs assert analysis of the issues by the Federal District Court for the Northern Mariana Islands, with its Decision for the Civil Case 1:14-CV-00026, may be persuasive and very helpful understanding the complex issues of this case.

**WHEREFORE**, for the reasons set forth herein, plaintiff moves the Court for an Order accepting joinder of co-plaintiffs and take note of plaintiffs' compliance with Order at Docket #5.

In San Juan, Puerto Rico, on this 13<sup>th</sup>. day of October of 2016.

Respectfully submitted,

/S/ Humberto Cobo-Estrella, Esq.  
**USDC-PR230108**

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 13, 2016, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to all parties for whom counsel has entered an operation of the Court's electronic filing system. Parties may access this filing through the Court's system. I further certify that a copy of the foregoing pleading and the Notice of Electronic Filing has been served by ordinary U.S. mail upon all parties for whom counsel has not yet entered an appearance electronically.

/S/ Humberto Cobo-Estrella, Esq.  
*Attorney for the Plaintiffs*